



PATENT
Customer No. 22,852
Attorney Docket No. 08702.0009-03000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
LEONARD et al.) Group Art Unit: 1645 (Prior
Application No.: 10/659,586) Application No. 09/512,930)
Filed: September 11, 2003) Examiner: N.M. Minnifield (Prior
For: USE OF IL-12 AND IL-12) Application No. 09/512,930)
ANTAGONISTS IN THE TREATMENT)
OF AUTOIMMUNE DISEASES)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicants enclose copies of the listed documents. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine

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that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 29, 2003

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INFORMATION DISCLOSURE CITATION

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|---------------------|--------------------|------------|----------------|
| Atty. Docket No. | 08702.0009-03000 | Appln. No. | 10/659,586 |
| Applicant | LEONARD et al. | | |
| Initial Filing Date | September 11, 2003 | Group: | To Be Assigned |

DEC 29 2003
U.S. PATENT DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|---------------|-------|-----------|----------------------------|
| | 5,547,852 | 08/20/96 | Seiler et al. | 435 | 29 | |
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U.S. PATENT APPLICATION DOCUMENTS

| Examiner Initial* | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
|-------------------|-----------------|------------|-------------------|-------|-----------|----------------------------|
| | 08/087,832 | | Gately et al. | | | 07/02/93 |
| | 08/094,649 | | Chizzonite et al. | | | 07/19/93 |
| | 08/094,713 | | Chua et al. | | | 07/19/93 |

FOREIGN PATENT DOCUMENTS

| | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
|--|-----------------|------------------|---------|-------|-----------|--------------------------------|
| | DE 43 15 127.2 | 11/19/1993 | Germany | A61 K | 37/02 | Yes, U.S. Patent No. 5,547,852 |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | Derwent Abstract, WPI Acc No: 1994-350242, DE 4315127.2, Germany |
| | Kelso, et al., "Heterogeneity in Lymphokine Profiles of CD4+ and CD8+ T Cells and Clones Activated <i>in vivo</i> and <i>in vitro</i> " <i>Immunological Reviews</i> , 123:85-114 (1991) |
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|------------|--|
| Examiner | Date Considered |
| *Examiner: | Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |